

§ 288k. Attorney General relieved of responsibility

(a) Upon receipt of written notice that the Counsel has undertaken, pursuant to section 288c(a) of this title, to perform any representational service with respect to any designated party in any action or proceeding pending or to be instituted, the Attorney General shall—

- (1) be relieved of any responsibility with respect to such representational service;
- (2) have no authority to perform such service in such action or proceeding except at the request or with the approval of the Senate; and
- (3) transfer all materials relevant to the representation authorized under section 288c(a) of this title to the Counsel, except that nothing in this subsection shall limit any right of the Attorney General under existing law to intervene or appear as *amicus curiae* in such action or proceeding.

(b) The Attorney General shall notify Counsel as required by section 530D of title 28.

(Pub. L. 95–521, title VII, §712, Oct. 26, 1978, 92 Stat. 1883; Pub. L. 107–273, div. A, title II, §202(b)(2), Nov. 2, 2002, 116 Stat. 1774.)

AMENDMENTS

2002—Pub. L. 107–273 added subsec. (b) and struck out former subsec. (b) which read as follows: “The Attorney General shall notify the Counsel with respect to any proceeding in which the United States is a party of any determination by the Attorney General or Solicitor General not to appeal any court decision affecting the constitutionality of an Act or joint resolution of Congress within such time as will enable the Senate to direct the Counsel to intervene as a party in such proceeding pursuant to section 288e of this title.”

§ 288l. Procedural provisions

(a) Intervention or appearance

Permission to intervene as a party or to appear as *amicus curiae* under section 288e of this title shall be of right and may be denied by a court only upon an express finding that such intervention or appearance is untimely and would significantly delay the pending action or that standing to intervene has not been established under section 2 of article III of the Constitution of the United States.

(b) Compliance with admission requirements

The Counsel, the Deputy Counsel, or any designated Assistant Counsel or counsel specially retained by the Office shall be entitled, for the purpose of performing his functions under this chapter, to enter an appearance in any proceeding before any court of the United States or of a State or political subdivision thereof without compliance with any requirement for admission to practice before such court, except that the authorization conferred by this subsection shall not apply with respect to the admission of any such person to practice before the United States Supreme Court.

(c) Standing to sue; jurisdiction

Nothing in this chapter shall be construed to confer standing on any party seeking to bring, or jurisdiction on any court with respect to, any civil or criminal action against Congress, either House of Congress, a Member of Congress, a

committee or subcommittee of a House of Congress, any office or agency of Congress, or any officer or employee of a House of Congress or any office or agency of Congress.

(Pub. L. 95–521, title VII, §713, Oct. 26, 1978, 92 Stat. 1883.)

§ 288m. Contingent fund

The expenses of the Office shall be paid from the contingent fund of the Senate in accordance with section 68 of this title, and upon vouchers approved by the Counsel.

(Pub. L. 95–521, title VII, §716, Oct. 26, 1978, 92 Stat. 1885.)

§ 288n. Travel and related expenses

Funds expended by the Senate Legal Counsel for travel and related expenses shall be subject to the same regulations and limitations (insofar as they are applicable) as those which the Senate Committee on Rules and Administration prescribes for application to travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

(Pub. L. 98–51, title I, §106, July 14, 1983, 97 Stat. 267.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of title VII of Pub. L. 95–521 which in part comprises this chapter.

Section, as it relates to funds expended by the Legislative Counsel of the Senate, is classified to section 276b of this title.

CHAPTER 10—CLASSIFICATION OF EMPLOYEES OF HOUSE OF REPRESENTATIVES

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§ 291. Congressional declaration of purpose

It is the purpose of this chapter to provide a classification system for the equitable establishment and adjustment of rates of compensation for, and for the efficient utilization of personnel in, certain positions under the House of Representatives to which this chapter applies, through—

- (1) the creation and maintenance of orderly and equitable compensation relationships for such positions—

(A) in accordance with the principle of equal pay for substantially equal work, and
 (B) with due regard to (i) differences in the levels of difficulty, responsibility, and qualification requirements of the work, (ii) the kind of work performed, (iii) satisfactory performance, and (iv) length of service;

(2) the application of appropriate position standards and position descriptions for such positions; and

(3) the adoption of organization and position titles in the House which accurately reflect the respective functions, duties, and responsibilities of those organizations and positions in the House to which this chapter applies.

(Pub. L. 88-652, § 2, Oct. 13, 1964, 78 Stat. 1079.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88-652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

EFFECTIVE DATE

Section 17 of Pub. L. 88-652 provided that: “This Act [enacting this chapter and amending sections 88c and 123b of this title] shall become effective on January 1, 1965.”

SHORT TITLE

Section 1 of Pub. L. 88-652 provided that: “This Act [enacting this chapter and amending sections 88c and 123b of this title] may be cited as the ‘House Employees Position Classification Act’.”

SAVINGS PROVISION

Section 15 of Pub. L. 88-652 provided that:

“(a) Notwithstanding any provision of this Act [this chapter], the aggregate (gross) rate of compensation of any employee immediately prior to the effective date of this Act [Jan. 1, 1965] shall not be reduced by reason of the enactment of this Act.

“(b) For the purposes of applicable law relating to the payment to any individual of compensation from more than one civilian office or position, each employee of the House to whom this Act applies who, immediately prior to the effective date of this Act—

“(1) is receiving basic compensation from more than one civilian office or position and

“(2) is in compliance with such law shall be held and considered to be in compliance with such law on and after such effective date, notwithstanding the enactment of this Act, so long as such employee continues to receive, without break in service of more than thirty days, the same or lower rate of basic compensation in a position to which this Act does not apply.”

§ 292. Positions affected

This chapter shall apply to—

(1) all positions under the Clerk, the Sergeant at Arms, the Chief Administrative Officer, and the Inspector General of the House of Representatives, except the positions of telephone operator and positions on the United States Capitol Police force;

(2) the position of minority pair clerk in the House;

(3) all positions under the House Recording Studio; and

(4) all positions under the House Radio and Television Correspondents’ Gallery and the House Periodical Press Gallery.

(Pub. L. 88-652, § 3, Oct. 13, 1964, 78 Stat. 1079; Pub. L. 104-53, title I, § 108(1), Nov. 19, 1995, 109 Stat. 522.)

AMENDMENTS

1995—Par. (1). Pub. L. 104-53 substituted “Chief Administrative Officer, and the Inspector General” for “Doorkeeper, and the Postmaster.”.

§ 293. Compensation schedules

(a)(1) The Committee on House Oversight of the House of Representatives (hereinafter referred to as the “committee”) shall establish and maintain, and, from time to time, may revise, for positions to which this chapter applies (other than positions within the purview of subsection (b) of this section the compensation for which is fixed and adjusted from time to time in accordance with prevailing rates), a compensation schedule of per annum rates, which shall be known as the “House Employees Schedule” and for which the symbol shall be “HS”, subject to the following provisions:

(A) Such schedule shall be composed of such number of compensation levels as the committee deems appropriate.

(B) Each compensation level shall consist of twelve compensation steps.

(C) The per annum rate of compensation for each compensation step of each compensation level shall be in such amount as the committee deems appropriate, except that the per annum rate of compensation for the maximum compensation step of the highest compensation level shall not exceed the maximum rate of compensation authorized by chapter 51 and subchapter III of chapter 53 of title 5.

(2) The rates of compensation for such positions shall be in accordance with such schedule.

(b) The committee shall establish and maintain, and, from time to time, may revise, for positions under the Clerk, the Sergeant at Arms, the Chief Administrative Officer, and the Inspector General of the House of Representatives, the compensation for which, in the judgment of the committee, should be fixed and adjusted from time to time in accordance with prevailing rates, a compensation schedule providing for per annum or per hour rates, or both, established in accordance with prevailing rates and consisting of such number of compensation levels and steps as the committee deems appropriate, which shall be known as the “House Wage Schedule” and for which the symbol shall be “HWS”. The rates of compensation for such positions shall be in accordance with such schedule. Notwithstanding any other provision of this chapter, for purposes of applying the adjustment made by the committee under this subsection for 2002 and each succeeding year, positions under the Chief Administrative Officer shall include positions of the United States Capitol telephone exchange under the Chief Administrative Officer.

(Pub. L. 88-652, § 4, Oct. 13, 1964, 78 Stat. 1079; Pub. L. 104-53, title I, § 108(2), Nov. 19, 1995, 109 Stat. 522; Pub. L. 104-186, title II, § 209(1), Aug. 20, 1996, 110 Stat. 1743; Pub. L. 107-68, title III, § 310, Nov. 12, 2001, 115 Stat. 592.)

AMENDMENTS

2001—Subsec. (b). Pub. L. 107-68 inserted at end “Notwithstanding any other provision of this chapter, for